

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

WILLIAM KENNY O'DELL,

Petitioner,

vs.

NATHANIEL QUARTERMAN,

Respondent.

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CIVIL ACTION H-07-3356

MEMORANDUM AND OPINION

Petitioner filed this action seeking habeas corpus relief under 28 U.S.C. § 2254, challenging a conviction in the 253rd Judicial District Court of Liberty County, Texas. Petitioner is currently confined at the Terrell Unit, which is located within the Galveston Division of the United States District Court for the Southern District of Texas. Petitioner has filed a motion seeking leave to proceed *in forma pauperis*.

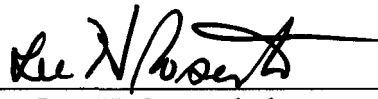
“Where an application for a writ of habeas corpus is made by a person in custody under the judgment and sentence of a State court of a State which contains two or more Federal judicial districts, the application may be filed in the district court for the district wherein such person is in custody or in the district court for the district within which the State court was held which convicted and sentenced him. . . .” 28 U.S.C. § 2241(d).

Under 28 U.S.C. § 2241(d), the district court in which the writ of habeas corpus was filed may transfer the writ to the district where the state court which convicted and sentenced the petitioner is located.

The Clerk is ordered to transfer this application for writ of habeas corpus to the Clerk of the Eastern District of Texas, Beaumont Division.

Petitioner's motion to proceed *in forma pauperis*, (Docket Entry No. 2), is denied without prejudice to reconsideration after transfer.

SIGNED on October ~~10~~, 2007, at Houston, Texas.

A handwritten signature in black ink, appearing to read 'Lee H. Rosenthal', is written above a horizontal line.

Lee H. Rosenthal
United States District Judge